

Message

From: Chemerys, Ruth [Chemerys.Ruth@epa.gov]
Sent: 7/29/2020 6:28:01 PM
To: Barnhart, Megan [barnhart.megan@epa.gov]; Wesson, Dolores [Wesson.Dolores@epa.gov]
CC: Hurd, Kathy [Hurd.Kathy@epa.gov]
Subject: FYI: Update on Retained Waters Revised Draft Preamble and Reg text - revised combined draft
Attachments: Waters Retained by the US Army Corps of Engineers 7-29 pm.docx

<!--[if lte mso 15 || CheckWebRef]-->

Chemerys, Ruth has shared a OneDrive for Business file with you. To view it, click the link below.



Waters Retained by the US Army Corps of Engineers 7-29 pm.docx

<!--[endif]-->

Megan and Dolores –

Just keeping you up to date. Here is the combined retained waters and adjacent wetlands preamble and reg text that Mindy is sending to John

Thanks again!

Ruth

From: Chemerys, Ruth
Sent: Wednesday, July 29, 2020 2:17 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Cc: Hurd, Kathy <Hurd.Kathy@epa.gov>
Subject: RE: Retained Waters Revised Draft Preamble and Reg text - revised combined draft

Mindy-

Here is a revised version, which I also uploaded to Sharepoint. Per your comment, I deleted the tribal consultation sentence, but, mainly as a placeholder, left a bubble comment that we may want to cross reference other sections regarding tribal consultation. Also noted that we're getting info from MI and will update.

Ruth

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Wednesday, July 29, 2020 12:51 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Subject: RE: Retained Waters Revised Draft Preamble and Reg text - combined reg text for your review

Thanks Ruth! I like the merging of the reg text rather than keeping them separate.

For the tribal consultation, my preference is to take it out of this section, but wanted to make sure it would be captured elsewhere. I defer to you on how to handle that. As for MI, let's just have a clean bubble comment that we are getting info on MI and will update accordingly.

Mindy Eisenberg
Associate Director, Oceans, Wetlands & Communities Division
Office of Wetlands, Oceans and Watersheds
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, mailcode 4504T
Washington, DC 20460
(202) 566-1290
eisenberg.mindy@epa.gov

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Sent: Wednesday, July 29, 2020 12:46 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Subject: RE: Retained Waters Revised Draft Preamble and Reg text - combined reg text for your review

Mindy-

I took a stab at combining the reg text. Instead of two separate reg text sections, there's just one. It seemed to make more sense to have one set, especially since both issues had reg changes in the same section of the reg.

Let me know if this works, or if you still want to keep reg text for retained waters and wetlands separate.

Two other things:

- Do you want to delete the sentences that you noted might be better in the ESA/NHPA sections (when we have them).
- We're still waiting for a response from MI re one of the questions in the preamble.

Ruth

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Tuesday, July 28, 2020 5:59 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Subject: RE: Retained Waters Revised Draft Preamble and Reg text

Hi Ruth,
Here is an integrated draft of the preamble for adjacent wetlands and retained waters. I also pasted in the reg text for both docs so you can see how you might want to meld them together. I wasn't sure where to upload on the sharepoint, so I'm just sending it to you.

Thanks!

Mindy Eisenberg

Associate Director, Oceans, Wetlands & Communities Division
Office of Wetlands, Oceans and Watersheds
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, mailcode 4504T
Washington, DC 20460
(202) 566-1290
eisenberg.mindy@epa.gov

From: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Sent: Tuesday, July 28, 2020 11:16 AM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>
Subject: Retained Waters Revised Draft Preamble and Reg text

Mindy-

Here is a revised version from Megan. This includes additional language regarding retained waters list nonsubstantial modifications, which Megan drafted and incorporated edits from Simma and Kathy.

Many thanks to Megan for her work on this issue, especially being new to the topic.

Ruth

Ruth Chemerys
EPA Office of Water
Office of Wetlands, Oceans & Watersheds
1200 Pennsylvania Ave. NW, 4503-T
Phone: 202-566-1216
Fax: 202-566-1437

Ruth